

SPENCER BACHUS
6TH DISTRICT, ALABAMA

COMMITTEE:
FINANCIAL SERVICES,
RANKING REPUBLICAN MEMBER

Congress of the United States
House of Representatives
Washington, DC

September 22, 2009

2246 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4921

1900 INTERNATIONAL PARK DRIVE
SUITE 107
BIRMINGHAM, AL 35243
(205) 969-2296

703 SECOND AVENUE NORTH
P.O. BOX 502
CLANTON, AL 35046
(205) 280-0704
<http://www.house.gov/bachus>

Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: FCC File Number 0003935834

Dear Chairman Genachowski,

Please accept this letter in support of the request for waiver by the FCC on behalf of the State of Alabama for the additional nine (9) frequencies for use by the Alabama Digital Emergency/Education Network (ADEN). Although this network will be administered by the Alabama Educational Television Commission, it is being implemented for use by all state emergency and protection agencies.

The purpose of this network is to improve the communications of state agencies to their facilities statewide, between agencies, and the public in general. It will incorporate the latest in digital and Internet Protocol technologies to allow for individual and shared communications while also providing open broadcast capabilities in emergency situations to the people of Alabama. ADEN also takes advantage of the already existing statewide broadcast tower, microwave, and satellite facilities operated by the Alabama Educational Television Commission, which represent a substantial investment by the state of Alabama.

The proposed Alabama Digital Emergency/Education Network provides the communications backbone that ties these agencies together to allow for a flexible and coordinated response to any statewide emergency. This new network will also provide educational capabilities for all state agencies on a daily basis which will improve training and response capabilities to emergencies when they occur. The dynamic nature of this proposed digital network, along with the capability to transmit digital information, either open source or encrypted, to just one person or to millions at one time is critical to a coordinated response to the potential emergencies that threaten the state. The ability to utilize the same statewide network system to also reach citizens in their homes and on mobile/handheld consumer electronic devices

29 SEP 2009 RCUD

gives the state tremendous outreach capabilities to inform and instruct everyone during emergency situations.

It is time that Alabama take advantage of new digital broadcast technologies and IP encapsulated data that can do so much more than television. Therefore, I respectfully request the FCC's consideration of the request for a frequency waiver for the nine requested UHF broadcast frequencies to allow the creation of the Alabama Digital Emergency/Educational Network.

Sincerely,

A handwritten signature in black ink, appearing to read "Spencer Bachus". The signature is stylized with a large initial "S" and a prominent "B".

Spencer Bachus
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 24, 2009

OFFICE OF
THE CHAIRMAN

The Honorable Spencer Bachus
U.S. House of Representatives
2246 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Bachus:

Thank you for your letter regarding a pending license application and waiver request submitted by the Alabama Educational Television Commission (AETC).

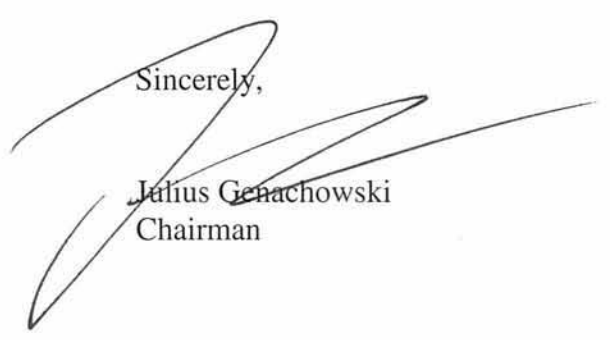
On August 14, 2009, AETC filed an application and waiver request to operate an integrated public safety network throughout Alabama using nine DTV facilities transmitting on unused UHF television band channels. AETC filed its request pursuant to Section 337(c) of the Communications Act of 1934, as amended, which directs the Commission to waive its rules as necessary to permit unassigned frequencies to be used for public safety services when certain statutory criteria are met.

On September 23, 2009, AETC met separately with staff of the Commission's Public Safety and Homeland Security Bureau (PSHSB) and Media Bureau to discuss its pending request. In their meeting with AETC, PSHSB staff requested that AETC provide more detail on how it satisfies the statutory requirements, particularly whether no other spectrum allocated for public safety services is available immediately to satisfy AETC's requested public safety service use. In particular, PSHSB staff suggested that AETC address the availability and suitability of spectrum in the 700 MHz public safety band, which was allocated for television broadcasting prior to completion of the DTV transition but is now designated for public safety communications.

On October 23, 2009, AETC amended its application by providing supplemental information on the availability of the 700 MHz band. Both PSHSB and Media Bureau staff are now evaluating AETC's amended request to determine the overall public safety and DTV implications of its application. The Commission will complete action on this petition as expeditiously as possible.

I appreciate your interest in this important matter. Please let me know if I can of any further assistance.

Sincerely,



Julius Genachowski
Chairman